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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ABRAHAM CRUZADO,) 3:16-cv-00690-MMD-WGC
Plaintiff,)
vs.)
ISIDRO BACA, et al.,)
Defendants.)
ORDER
re Defendant "C. Lucas," aka "Candis
Brockway"
ECF Nos. 29, 33 & 34

Before the Court is Plaintiff's "Judicial Notice - Request for Issuance of Summons as to Defendant C. Lucas, Nurse" (ECF No. 29). In this filing, Plaintiff argues that Defendants' counsel failed to identify whether the office of the Attorney General would be accepting service for Defendant "C. Lucas" and if not, that the Attorney General should file Nurse Lucas' last known address under seal so he could seek service via the U. S. Marshal.

Defendants, including Defendant Candis Brockway (for whom the office of the Attorney General has appeared; ECF No. 25), filed a response indicating that the nurse identified in Plaintiff's complaint as "C. Lucas" is the maiden name of the Defendant sued as "Brodsway." Counsel suggests that since the Attorney General's office has already accepted service for Candis Brockway that attempting to serve C. Lucas is unnecessary. Defendants request "that this Court issue and order clarifying that Defendant Brockway and "C. Lucas" are the same person, and removing "C. Lucas" from this case." (ECF No. 33).

Plaintiff has replied (ECF No. 34), stating that he was unaware that "C. Lucas" and "C. Brockway" are the same individual. He points to two recent NDOC grievance responses which were attributed to "CLUCAS." (*Id.*, at 4 & 5). While Plaintiff states "he has no knowledge whatsoever that C. Lucas was now Candis Brockway," he does not appear to object to the substitution of Candis

1 Brockway in place of "C. Lucas."

2 **IT IS ORDERED** that any reference in the pleadings to "C. Lucas" shall be eliminated and that
3 the claims for relief allowed to proceed in the screening order (ECF No. 5) as against "C. Lucas" shall
4 instead be construed as being asserted against Candis Brockway. **IT IS FURTHER ORDERED** that
5 the spelling of Defendant "Brodsway's" name shall be corrected to "Brockway" and will proceed against
6 Defendant Brockway.

7 DATED: April 30, 2018.

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9 WILLIAM G. COBB
10 UNITED STATES MAGISTRATE JUDGE
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